

#407

NOTE: Pursuant to Fed. Cir. R. 47.6, this order
is not citable as precedent. It is a public order.

United States Court of Appeals for the Federal Circuit

SOLICITOR

DEC - 6 2004

04-1360
(Serial No. 08/458,019)

U.S. PATENT & TRADEMARK OFFICE.

IN RE ERIC A. JOHNSON, HUEI-HSIUNG YAN,
BERIL GELDIAY-TUNCER, WILLIAM T. HALL, DAVID SCHREIBER,
and KWOK HO (Real Party in Interest Biotechnology, Inc.),

ON MOTION

Before NEWMAN, Circuit Judge.

ORDER

Upon consideration of the parties' joint motion to remand the case to the United
States Patent and Trademark Office for further proceedings,

IT IS ORDERED THAT:

- (1) The motion is granted.
- (2) Each side shall bear its own costs.

OCT 20 2004

Date



Pauline Newman
Circuit Judge

cc: Dean H. Nakamura, Esq.
John M. Whealan, Esq.

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OCT 20 2004

ISSUED AS A MANDATE: _____

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I HEREBY CERTIFY THIS DOCUMENT
IS A TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE.

UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT

FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

OCT 20 2004

**JAN HORBALY
CLERK**

By: Pauline Newman Date: 12/2/04